

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

JORGE SANTOS ROSARIO, et al.,

## Plaintiffs

vs.

CIVIL NO. 98-1468 (JH)

ANDRES REYES BURGOS, et al.,

Defendant s

2001 JU 29  
0.98-1468 (35)  
PM 11:29

## ORDER

<b>MOTION</b>	<b>RULING</b>
<b>Date Filed:</b> April 26, 2001; May 15, 2001	<b>DENIED.</b> Plaintiffs cannot rely on an unwritten "agreement" entered into between the parties more than two years ago to now seek relief from judgment. The Court certainly has no recollection, at this time, of the agreement described by Plaintiffs, wherein Co-defendant AIICO agreed not to bring Plaintiffs into a state court action as third party defendants. Further, a careful review of the settlement agreement entered into between the parties and filed with the Court reveals no such agreement. Although it certainly could be the case that this was orally discussed and agreed upon at the status conference referenced in the instant motion, Plaintiffs' failure to request that such agreement be made part of the judgment entered in this case, and/or its failure to include such a stipulation in the settlement agreement, is fatal.
<b>Docket #</b> 27, 28	
<b>[X] Plffs</b> <b>[X] Defts</b>	
<b>Title:</b> Motion Requesting Relief from Judgment Under Rule 60(b)(6); Motion to Strike and/or Oppose Motion Requesting Relief from Judgment	

Date: 6/25/01

**JAIME PIERAS, JR.**  
**U.S. Senior District Judge**

Rec'd: EOD:

By: you # 29

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